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THE PROVINCE OF ALBERTA

COAL CONSERVATION ACT

ENERGY RESOURCES CONSERVATION BOARD

IN THE MATTER of a coal mine of Smoky River
Coal Limited in the Grande Cache area

PERMIT NO. C 92-1

WHEREAS Smoky River Coal Limited is the holder of Permit No. C 90-11 to develop a mine site in the Grande Cache area; and

WHEREAS the Energy Resources Conservation Board is prepared to grant Application No. 920010 by Smoky River Coal Limited registered on 3 January 1992 for an amendment of Permit No. C 90-11 to extend the permit boundary in the No. 12 Mine South area; and

WHEREAS it is desirable that a new permit be issued to replace Permit No. C 90-11; and

WHEREAS the Lieutenant Governor in Council has given his approval by Order in Council, numbered O.C.81/92 and dated 6 February 1992; and

WHEREAS the Minister of the Environment has given his approval, hereto attached, insofar as the application affects matters of the environment.

THEREFORE, the Energy Resources Conservation Board, pursuant to the Coal Conservation Act, being chapter C-14 of the Revised Statutes of Alberta, 1980, hereby grants to Smoky River Coal Limited (hereinafter called "the Permittee") a PERMIT to develop a coal mine in the Grande Cache area, subject to the provisions of the Act and regulations and orders pursuant thereto and to the following terms and conditions:

1. The mine shall be designated as Mine No. 1774.

2. The permit shall apply to some 3950 hectares, more or less, in Township 58, Ranges 8 and 9, West of the 6th Meridian, as shown in Appendix A hereto attached.

3. Subject to other provisions of this permit, all mining and related operations shall be in accordance with the application of the Permittee to the Board

- (a) marked as Exhibits 1 to 11 and 16 at the hearing of 3 April 1973,
- (b) dated 9 February 1974,
- (c) dater 17 September 1975,
- (d) marked as Exhibits 1 to 11 at the hearing of 6 July 1977,

- (e) addenda to the application dated 2 August 1977,
- (f) registered on 15 September 1986 as Application No. 861092,
- (g) registered on 23 November 1988 as Application No. 882049,
- (h) registered on 4 January 1990 as Application No. 900010,
- (i) registered on 3 January 1992 as Application No. 920010.

4. The Permittee shall carry out its operations to the satisfaction of the Board, and in a manner that

- (a) will result in the mining of all practical and economic coal within the permit area, including those resources in the 12 Mine South area identified, in Application No. 900010, as mineable by underground methods,
- (b) will not preclude or render more difficult the recovery of other coal recoverable by practical and reasonable operations,
- (c) will facilitate land reclamation.

5. Each mining area and external discard site within the permit area shall be individually licensed by the Board prior to the commencement of any mining activity.

6. The Permittee shall advise the Board of any significant modifications to the development plan and obtain Board approval prior to effecting such modifications.

7. The Permittee shall, as soon as practicable, advise the Board and provide a preliminary assessment of any incident or accident affecting, or having the potential for affecting, safety or the environment and being attributable to design features or operational methods which are subject to the approval of the Board.

8. The approval of the Minister of the Environment is attached hereto as Appendix B, and this permit is subject to the terms and conditions therein contained.

- 9. (1) Attached hereto as Appendix C, and made part of this permit, is the order of the Lieutenant Governor in Council authorizing the granting of this permit.
- (2) This permit is subject to the terms and conditions, if any, prescribed by the order of the Lieutenant Governor in Council set out in Appendix C.

10. The Board may

- (a) cancel or suspend this permit, in whole or in part, for failure of the Permittee to comply with any provision of the Act, the regulations or the terms and conditions set out herein; or

(b) amend this permit or make such other order as it thinks appropriate under the circumstances.

11. Permit No. C 90-11 is rescinded.

MADE at the City of Calgary, in the Province of Alberta, this 25th day of February, 1992.

ENERGY RESOURCES CONSERVATION BOARD

SMOKY RIVER COMMUNITY-CHURCH AREA
APPENDIX A TO PERMIT NO. C 90-11
REVISIION PERMIT NO. C 90-11

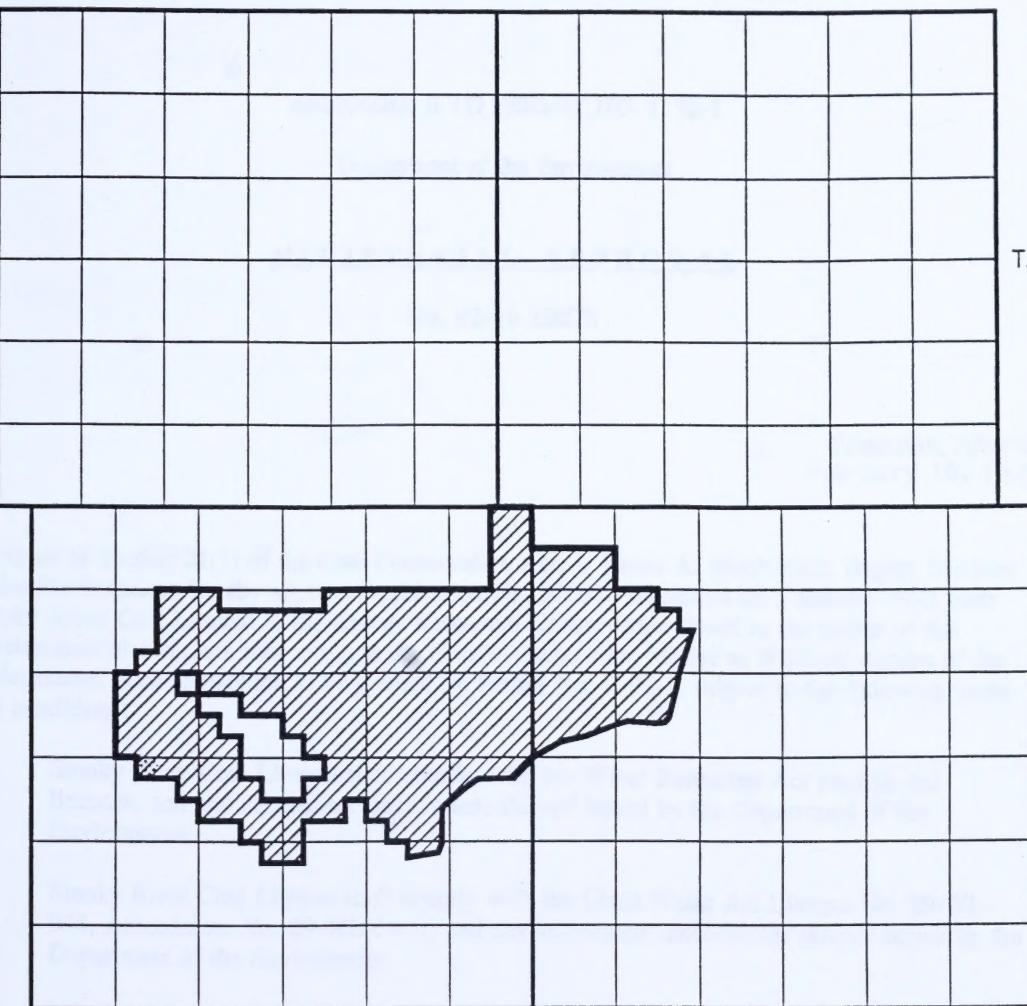
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SMOKY RIVER COAL LIMITED—GRANDE CACHE AREA

APPENDIX A TO PERMIT NO. C 92-1 AREA OF CHANGE

PREVIOUS PERMIT NO. C 90-11



LEGEND



PERMIT AREA MINE NO. 1774

APPENDIX B TO PERMIT NO. C 92-1

Department of the Environment

MINISTERIAL APPROVAL

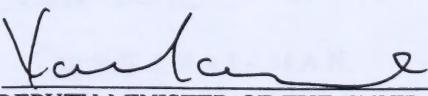
No. 92-16 ERCB

Edmonton, Alberta
February 18, 1992

Pursuant to Section 21(1) of the Coal Conservation Act, I, Vance A. MacNichol, Deputy Minister of the Environment, hereby approve Application No. 920010 registered on 3 January 1992 from Smoky River Coal Limited to the Energy Resources Conservation Board in the matter of the development of a surface coal mine, in the Grande Cache area, insofar as it affects matters of the environment, such application to be granted by Permit No. C 92-1, subject to the following terms and conditions:

1. Smoky River Coal Limited shall comply with the Water Resources Act permits and licences, and any subsequent amendments thereof issued by the Department of the Environment.
2. Smoky River Coal Limited shall comply with the Clean Water Act Licence No. 89-WL-044, Amendment No. 89-WL-044A, and any subsequent amendments thereof issued by the Department of the Environment.
3. Smoky River Coal Limited shall comply with the Clean Air Act Licence No. 87-AL-196, Amendment No. 87-AL-196A, and subsequent amendments thereof issued by the Department of the Environment.
4. Smoky River Coal Limited shall comply with the Development and Reclamation Approval No. C-1-76 in accordance with the Land Surface Conservation and Reclamation Act and Regulations, and any subsequent amendments thereof issued by the Department of the Environment.

Ministerial Approval No. 90-10 is hereby superseded.


Vance A. MacNichol
DEPUTY MINISTER OF THE ENVIRONMENT

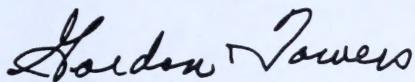
Alberta

ORDER IN COUNCIL

D. Heron

APPROVED AND ORDERED.

O.C. 81/92



February 6, 1992

LIEUTENANT GOVERNOR

EDMONTON, ALBERTA

Upon the recommendation of the Honourable the Minister of Energy, the Lieutenant Governor in Council, pursuant to section 21(3) of the Coal Conservation Act, authorizes the Energy Resources Conservation Board to grant Permit No. C 92-1 to Smoky River Coal Limited in the form attached and rescinds Order in Council numbered O.C. 274/90.



James Hotsman

ACTING CHAIRMAN

